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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
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11 HANSEN BEVERAGE COMPANY,

12 Plaintiff,

13 vs.

14 INNOVATION VENTURES, LLC dba
15 LIVING ESSENTIALS, a Michigan
corporation,

Defendant.

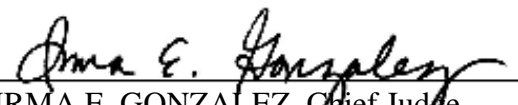
CASE NO. 08-CV-1166 IEG (POR)

ORDER GRANTING MOTION TO
CORRECT ORDER

16 Presently before the court is plaintiff's motion to correct one sentence of the Court's order
17 denying plaintiff's motion for preliminary injunction. In the Order, the Court stated it "did not accept
18 Mr. Sacks' representation that plaintiff learned of defendant's product shortly before filing suit."
19 (9/29/2008 Order at 8.) Plaintiff explains Mr. Sacks only represented that he learned about the
20 extensive advertising of defendant's product shortly before filing suit. The Court grants plaintiff's
21 request to correct the Order of September 29, 2008. The Court clarifies that Mr. Sacks did not
22 represent he learned about the product one month before filing suit. Because plaintiff was aware of
23 the product for some time before filing suit, however, the Court finds a lack of urgency and
24 unlikelihood of irreparable harm.

25 **IT IS SO ORDERED.**

26 DATED: October 6, 2008

27 
28 IRMA E. GONZALEZ, Chief Judge
United States District Court